

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

In Re:

Ashia Latrail Douglas,

Debtor.

Chapter 13

Case No. 18-71487-JWC

Nationstar Mortgage LLC d/b/a Mr. Cooper

Movant,

Contested Matter

V.

Ashia Latrail Douglas aka Asheia Thomas,
Debtor, and Nancy J. Whaley, Chapter 13
Trustee,

Respondents.

OBJECTION TO CONFIRMATION

COMES NOW, Nationstar Mortgage LLC d/b/a Mr. Cooper, its successors or assigns, (hereinafter referred to as “Creditor”), who holds a secured lien on the Debtor’s real property known as 6075 Centennial Run, College Park, GA 30349 (hereinafter the “Property”), and files this Objection to Confirmation of Plan.

Creditor holds a secured claim with an unpaid principal balance of approximately \$91,330.36, including pre-petition arrears of approximately \$10,584.85, which represents four (4) months of non-payment and prepetition fees. Debtor’s Chapter 13 Plan (hereinafter “Plan”) lists the total pre-petition arrears owed to Creditor as \$9,000.00. The arrears listed in the Plan underestimate Creditor’s pre-petition arrearage amount. Accordingly, the Chapter 13 Plan fails to comply with the provisions of 11 U.S.C. § 1325(a).

Additionally, Debtor's plan proposes Debtor will maintain the contractual installment payments on Movant's claim. Movant reserves the right to object to confirmation of Debtor's Chapter 13 Plan if Debtor fails to make ongoing direct post-petition mortgage payments.

WHEREFORE, Creditor prays that this Court inquire into the matters raised herein and deny confirmation of the Plan, or enter such an order that the Court deems just and proper.

Date: January 3, 2019

Shapiro Pendergast & Hasty, LLP

/s/Taylor S. Mansell
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In Re:

Ashia Latrail Douglas also known as Asheia Thomas,

DEBTOR.

Chapter 13

Case No. 18-71487-JWC

Nationstar Mortgage LLC d/b/a Mr. Cooper,
its successors or assigns,

MOVANT,

V.

Ashia Latrail Douglas also known as Asheia Thomas, Debtor, and Nancy J. Whaley,
Chapter 13 Trustee,

RESPONDENTS.

Contested Matter

CERTIFICATE OF SERVICE

I certify that I am over the age of 18 and that on January 3, 2019, a copy of the foregoing Objection to Confirmation was served by first class U.S. Mail, with adequate postage prepaid, on the following persons or entities at the addresses stated below:

Ashia Latrail Douglas
6075 Centennial Run
College Park, GA 30349

Howard P. Slomka
Slipakoff & Slomka, PC
Overlook III - Suite 1700
2859 Paces Ferry Rd, SE
Atlanta, GA 30339

Nancy J. Whaley
Standing Chapter 13 Trustee
303 Peachtree Center Avenue
Suite 120, Suntrust Garden Plaza
Atlanta, GA 30303

Dated January 3, 2019

Shapiro Pendergast & Hasty, LLP

/s/Taylor S. Mansell
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